

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:17-cr-264-MOC-DSC-1

UNITED STATES OF AMERICA,)
)
)
)
)
Vs.)
)
B.T. WRIGHT,)
)
)
Defendant.)

THIS MATTER is before the court on defendant's letter (#31), which the court construes as a Motion to Modify Sentence. The Judgment (#22) was entered on February 26, 2018, and is now final. In the instant motion, defendant seeks to be removed from the Inmate Financial Responsibility Program ("IFRP").

The Bureau of Prisons has the authority to place a defendant in the IFRP based on the wording contained in the criminal judgment. See United States v. Watkins, 161 F. App'x 337, 337 (4th Cir. 2006); Bramson v. Winn, 136 F. App'x 380, 381 (1st Cir. 2005). Before seeking relief from any court regarding obligations under the IFRP, a defendant must exhaust all administrative remedies through the Bureau of Prisons. McGhee v. Clark, 166 F.3d 884, 887 (7th Cir. 1999). Once all administrative remedies have been exhausted, a defendant may challenge such payments only by filing the appropriate pleading in the district court located in the *district of confinement*, not with the sentencing court.¹ See

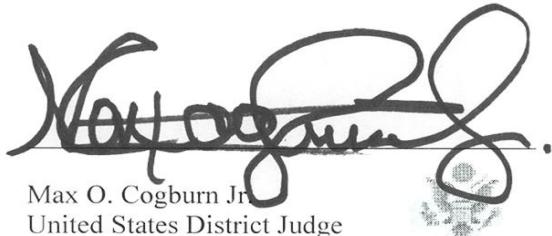
¹ Moreover, as the Government notes in its Response, (Doc. No. 35), Defendant does not need the Court's assistance to be removed from the IFRP if he so chooses. To the extent that

Moore v. Olson, 368 F.3d 757, 759 (7th Cir. 2004); Matheny v. Morrison, 307 F.3d 709, 711-12 (8th Cir. 2002). Defendant is not housed in this district. While *this* court can afford petitioner no relief, the court will strongly recommend that petitioner work with his case manager on this matter.

O R D E R

IT IS, THEREFORE, ORDERED that defendant's letter, deemed to be a Motion to Modify Sentence (#31), is **DENIED**.

Signed: May 10, 2019



Max O. Cogburn Jr.
United States District Judge

Defendant seeks to stop making payments without losing the corresponding privileges he has gained through his participation in the program, he is not allowed to do that.